



Entered on Docket
August 04, 2009

A handwritten signature in black ink, appearing to read "Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase
Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-
7 Mortgage Pass-Through Certificates, Series 2005-7
09-73790

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Victor Arizmendi

Debtor.

BK-S-09-18548-lbr

Date: 7/13/09
Time: 9:30am

Chapter 7

1
2 **ORDER VACATING AUTOMATIC STAY**

3
4 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
5 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
6 Secured Creditor The Bank of New York Mellon, fka The Bank of New York as Successor in interest
7 to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear
8 Stearns ALT-A Trust 2005-7 Mortgage Pass-Through Certificates, Series 2005-7, its assignees and/or
9 successors in interest, of the subject property, generally described as 8953 Dallas Ridge, Las Vegas,
10 NV 89178, and legally described as follows:

11 Parcel One (1): Lot 67 in Block 4 of Final Plat of Twilight Noth at Arlington
12 Ranch, (a Common Interst Community), as shown by map thereof on file in Book
13 114 of Plats, Page 76 in the Office of the County Recorder of Clark County,
14 Nevada.

15 Parcel Two (2): A non-exclusive easement of ingress, egress, use and
16 enjoyment in, to and over the Association Property, including, but not limited
17 to "Two (2) main entry gates", "Private Street", and "Common Elements",
18 subject to and as set forth in that certain Master Declaration of Covenants,
19 Conditions and Restrictions and Reservation of Easements for Arlington Ranch
20 North, (a Nevada Master Residential Common-Interest Planned Community)
21 recorded March 25, 2004 in Book 20040325 as Document No. 00423, of Official
22 Records. Assessor's Parcel No: 176-20-711-045

23 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall
24 give Debtors at least five business days' notice of the time, place and date of sale.**

25 DATED this _____ day of _____ 2009

26 Submitted by:

27 **WILDE & ASSOCIATES**

28 By

29 **GREGORY L. WILDE, ESQ.**
30 Attorney for Secured Creditor
31 208 South Jones Boulevard
32 Las Vegas, Nevada 89107

1
2
3
4
5
6 APPROVED / DISAPPROVED
7

8 _____
9 Jorge L. Sanchez
10 930 S. Fourth St., #211
11 Las Vegas, NV 89101
12 Attorney for Debtor(s)
13

14 Nevada Bar No: _____
15

16 APPROVED / DISAPPROVED
17

18 _____
19 Yvette Weinstein
20 6450 Spring Mtn. Rd. #14
21 Las Vegas, NV 89146
22 Chapter 7 Trustee
23
24

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 The court waived the requirements of LR 9021.4 No parties appeared or filed written objections, and there is no trustee appointed in the case.5 I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 approved the form of this order disapproved the form of this order10 waived the right to review the order and/or failed to respond to the document11 appeared at the hearing, waived the right to review the order12 matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 approved the form of this order disapproved the form of this order15 waived the right to review the order and/or failed to respond to the document

16 Other Party: _____

17 approved the form of this order disapproved the form of this order18 waived the right to review the order and/or failed to respond to the document

19 Breach Order:

20 This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor